

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

RONNIE JONES, ET AL.,	)	
Plaintiffs,	)	
vs.	)	NO. 05-11832-DPW
CITY OF BOSTON, ET AL.,	)	
Defendants.	)	

---

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The Defendants, the City of Boston, the Boston Police Department, and Edward Davis (collectively "BPD"), hereby move for summary judgment on Plaintiffs' Title VII disparate impact claim (Count I), a claim which challenges the Boston Police Department's hair drug test. Following remand from the First Circuit's decision, *Jones v. City of Boston*, 752 F.3d 38 (1st Cir. 2014), only two issues remain: (1) the business necessity of the BPD test; and (2) the availability of an equally valid and lesser discriminatory alternative to the test. As set forth in the accompanying Memorandum of Law, the Defendants are entitled to summary judgment as a matter of law on both issues because the undisputed record establishes the BPD test's undeniable business necessity as well as the Plaintiffs' evidentiary absence of an equally valid and lesser discriminatory alternative to the BPD test.

Respectfully submitted,

Defendants City of Boston, Boston Police Department  
and Edward Davis,

By their attorney,

/s/ Helen G. Litsas

Helen G. Litsas (BBO #644848)  
**LAW OFFICE OF HELEN G. LITSAS**  
22 Mill Street, Suite 408  
Arlington, MA 02476  
Tel: 781-646-1518  
Fax: 781-646-1573/helen@litsaslaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on December 10, 2014 a true copy of *Defendants' Motion for Summary Judgment* was served through the Court's electronic filing system upon all counsel of record. /s/ Helen G. Litsas